

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARY ANN O'BARA,

Plaintiff,

-VS-

CASE NO. 06-CV-13493

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

OAKWOOD HEALTHCARE, INC, et al.,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S BRIEF IN
OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Now before the Court is Defendants' November 13, 2007, Motion to Strike Plaintiff's Brief in Opposition to Defendants' Motion for Summary Judgment. (Doc. No. 64). Plaintiff responded on November 19, 2007.

On November 2, 2007, Plaintiff filed a Motion for Leave to File a Brief in Excess of 20 Pages. The Court denied that Motion. On November 9, 2007, Plaintiff filed her Brief in Opposition which did not exceed 20 pages. However, Plaintiff included, as an exhibit to her Response, a summary of the evidence of alleged discrimination. Defendants contend this exhibit is a bad faith effort on the part of Plaintiff to circumvent the Court's denial of leave to file a brief in excess of 20 pages and Local Rule 7.1(c)(3)(A).

After review, the Court will **DENY** Defendants' Motion to Strike. Plaintiff's offending exhibit does not present any substantive argument, only a reference of pertinent facts. However, the Court recognizes the proper place for the recitation of the facts is in the parties' motion or brief and cautions Plaintiff that summarizing the facts in exhibit form should not become a practice.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: November 28, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on November 28, 2007.

s/Denise Goodine
Case Manager